

IN THE SUPREME COURT OF THE STATE OF DELAWARE

KENJUAN CONGO,	§	
	§	No. 699, 2010
Defendant Below,	§	
Appellant,	§	Court Below: Superior Court of
	§	the State of Delaware, in and for
v.	§	New Castle County
	§	
STATE OF DELAWARE,	§	Cr. I.D. No. 0906019055
	§	
Plaintiff Below,	§	
Appellee.	§	

Submitted: February 23, 2011

Decided: March 1, 2011

Before **BERGER, JACOBS** and **RIDGELY**, Justices.

**ORDER**

This 1<sup>st</sup> day of March 2011, upon consideration of the briefs of the parties, it appears to the Court that the judgment of the Superior Court should be affirmed on the basis of and for the reasons set forth in its decision dated May 12, 2010.

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court is **AFFIRMED**.

BY THE COURT:

/s/ Jack B. Jacobs  
Justice